

AFFIDAVIT

I, Jared E. Dyar, having been duly sworn, state as follows:

INTRODUCTION

1. I am a duly sworn Special Agent with the Drug Enforcement Administration (DEA). I have been employed by the DEA since January 2019, and I am assigned to the Atlanta-Carolinas High Intensity Drug Trafficking Area (HIDTA) Task Force. I have received extensive training for sixteen weeks at the DEA Training Academy in Quantico, Virginia on narcotics investigations and identification. Prior to joining DEA, I served as a U.S. Border Patrol Agent where I spent almost 10 years, much of which was assigned to an intelligence unit. I have received training in asset forfeiture, drug interdiction and telecommunications exploitation. The United States Attorney General has empowered me with Title 21 Authority under the United States Code, which authorizes seizures and arrests for violations of the Controlled Substance Act. I have been involved in numerous investigations that have resulted in arrests and seizures of controlled substances.

2. This affidavit is made in support of a Criminal Complaint, and I further request the issuance of an Arrest Warrant for Pedro Huerta RAMON for the offenses of possession with intent to distribute ("PWID") 50 grams or more of methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), 841(b)(1)(B) and being an alien previously removed from the United States in violation of 8 U.S.C. §§ 1326.

3. The information contained in this affidavit is based on my personal knowledge of this investigation, information relayed to me by other law enforcement personnel and cooperating source interviews. Additionally, the facts in this affidavit do not reflect all the information known to me or other law enforcement personnel. This affidavit contains the facts that I believe are necessary to establish probable cause for the above stated criminal violations, but it does not detail every fact known to me regarding this case.

FACTUAL BASIS

4. Beginning in 2018, the DEA Columbia District Office (CDO) Atlanta-Carolinas High Intensity Drug Trafficking Area (HIDTA) Task Force began an investigation into the drug trafficking activities of Pedro Huerta RAMON. At the time of this investigation, agents had information indicating that RAMON was a kilogram level cocaine distributor operating in the Lexington County area of South Carolina and an alien illegally present in the United States.

5. In June 2019, RAMON was arrested by the Lexington County Sheriff's Department (LCSD) for trafficking cocaine and was subsequently deported back to Mexico by the Department of Homeland Security, United States Immigration and Customs Enforcement (ICE) on November 4, 2019, for being an undocumented alien residing in the United States.

6. In February 2023, the CDO HIDTA and the LCSD began an investigation into the drug trafficking activities of Pedro Huerta RAMON after learning RAMON returned to the United States and continued distributing illicit narcotics. LCSD developed a Confidential Informant that had been purchasing pound quantities of crystal methamphetamine from RAMON since December 2020. During this investigation, agents have learned RAMON is a Source of Supply (SOS) for crystal methamphetamine in the Lexington County, South Carolina area. The CI indicated that the CI was introduced to RAMON through another individual who was also purchasing large quantities of narcotics from RAMON. The CI further stated since approximately December of 2020, RAMON has consistently been able to produce a pound of methamphetamine to the CI every two or three weeks without any problems or delays.

7. On February 10, 2023, agents with the DEA and Narcotics Agents with LCSD interviewed LCSD Confidential Informant 2K1687¹ (hereinafter referred to as CI)

¹ The Criminal History of CI 2K1687 consists of the following: 1987 conviction - Simple Possession of Marijuana, 1996 conviction - Attempt and Conspiracy (provisions of drug law), 1999 conviction - Driving Under Suspension, 2002 misdemeanor conviction- Possession of Cocaine 1st, 2002 conviction - Driving Under the Influence, 2006 conviction - Criminal Domestic Violence.

regarding RAMON's drug trafficking activities. According to the CI, the CI has been purchasing one-pound quantities of crystal methamphetamine from RAMON since on or around December 2020. The CI told law enforcement that he/she purchases one pound of crystal methamphetamine every two or three weeks and believed that he/she had purchased approximately 48 pounds of crystal methamphetamine from December 2020, up until the initial interview with the CI in February 2023.

8. During the interview, the CI provided agents with phone number (803) 307-2404² as a contact for RAMON and positively identified RAMON by a Lexington County Sheriff's Department Booking photo. Agents then showed the CI a photograph of a white Chevrolet Silverado and the CI confirmed that RAMON drove the same vehicle, noting that he/she has observed RAMON retrieve crystal methamphetamine from the bed of his white Chevrolet Silverado that had a bed cover. Checks with SCDMV revealed that South Carolina registration 1671JZ belongs on a 2011 Chevrolet Silverado registered to Pedro Huerta Ramon of 134 Hayes Street, Lot 1, Gilbert, SC 29054.

9. On February 15, 2023, members of the DEA and the LCSD utilized the CI to purchase approximately one pound of crystal methamphetamine (hereinafter referred to as Exhibit 1) from RAMON for \$2,800.00 in Official Advanced Funds (OAF). On the same date, SA Dyar observed RAMON's white Chevrolet Silverado parked at a park-and-ride³ located near the intersection of Railroad Street and Green Street in Ridge Spring, SC.

10. At approximately 4:45 p.m., Richland County Sheriff's Department (RCSD) Deputy Paul Waldner observed a white male (later identified as RAMON) exit a utility truck that pulled into the park-and-ride near RAMON's white Chevrolet Silverado. RAMON then entered the driver's seat of his white Chevrolet Silverado.

² Subpoenaed information received from AT&T revealed that telephone number (803) 307-2404 is subscribed to Pedro Huerta of 1429 Marcellus Road, Leesville, SC and has been active since January 18, 2021.

³ This area is designed for citizens to park their vehicle and share a ride with others to save on fuel cost. Agents have observed RAMON park at this location during the week so as to be picked up by a company vehicle carrying multiple passengers for work.

11. At approximately 5:02 p.m., SA Dyar, TFO Merckle, LCSD Agent Howard Smith, and LCSD Agent Austin Sanner met with the CI at a pre-determined meeting location in Lexington County, SC to place a controlled/recorded three-way call to RAMON on phone number (803) 307-2404. The CI told RAMON that he/she was ready and RAMON told the CI that he would see him/her in thirty minutes. At this time agents set up an electronic recording device to capture the exchange between RAMON and the CI for one pound of crystal methamphetamine (hereinafter referred to as Exhibit 1) in exchange for \$2,800.00. DEA agents provided the CI with \$2,800.00 OAF.

12. At approximately 5:22 p.m., RCSD Deputy Waldner observed RAMON arrive at a trailer park located at 134 Hayes Street, Lot 1, Gilbert, SC.⁴ RAMON parked his truck at the residence located on Lot 1 and exited his white Chevrolet Silverado and entered the residence.

13. At approximately 5:27 p.m., RCSD Deputy Waldner observed RAMON exit the residence and enter into the driver's seat of his white Chevrolet Silverado and leave the area. Agents continued surveillance on RAMON who travelled to the pre-determined meeting location making no stops at any other location, instead traveling directly to meet the CI.

14. At approximately 5:42 p.m., RCSD Deputy Waldner observed RAMON arrive at the pre-determined meeting location. At this time, RAMON exited his white Chevrolet Silverado to meet with the CI.

15. At approximately 5:44 p.m., RCSD Deputy Waldner observed RAMON exit the pre-determined meeting location, enter the driver's seat of his white Chevrolet Silverado and leave the area. Agents continued surveillance on RAMON who eventually traveled

⁴ Agents know through training and experience that often times illegal immigrants do not have official documentation such as state identification that records an individual's address and or address changes. During this investigation agents have observed RAMON and his vehicle at 134 Hayes Street, Lot 1, Gilbert, SC throughout the night time hours. Further, agents have observed RAMON arriving at 134 Hayes Street, Lot 1, Gilbert, SC after work and then leave again the following morning to go back to his work site.

back to 134 Hayes Street, Lot 1, Gilbert, SC where surveillance was terminated at approximately 7:10 p.m.

16. At approximately 5:55 p.m., SA Dyar, TFO Merckle and LCSD Agent Smith traveled back to the pre-determined meeting location to meet with the CI. At this time agents took custody of Exhibit 1⁵ and the electronic recording device.⁶

17. On February 17, 2023, the Honorable Walton J. McLeod of the South Carolina Eleventh Judicial Circuit signed an Order authorizing agents to place an Electronic Monitoring Device (EMD) on RAMON's 2011 Chevrolet Silverado bearing South Carolina registration 1671JZ.

18. On February 20, 2023, DEA agents placed the monitoring device on RAMON's vehicle and activated the device.

19. On February 28, 2023, agents with the DEA and LCSD utilized the CI to place a controlled/recorded three-way call to RAMON on telephone number (803) 307-2404. During the call, the CI asked RAMON if he would come and see him/her the following day. RAMON agreed and told the CI to call him when he/she was ready.

20. On March 1, 2023, at approximately 5:00 p.m., SA Dyar, TFO Merckle and LCSD Agent Sanner met with the CI at a pre-determined meeting location in Lexington County, SC and had the CI place a controlled/recorded three-way call to RAMON. RAMON did not answer the CI's phone call but immediately called the CI back and told the CI that he was on his way from Ridge Spring, SC. At this time, agents set up an electronic recording device to capture the exchange between RAMON and the CI for one pound of crystal methamphetamine (hereinafter referred to as Exhibit 2) in exchange for \$2,800.00. DEA agents provided the CI with \$2,800.00 OAF.

⁵ On February 15, 2023, SA Dyar and TFO Merckle took custody of Exhibit 1 from CI 2K1687 and transported Exhibit 1 to the DEA for further processing. Lab results for Exhibit 1 revealed Exhibit 1 weighed approximately 447.9 grams and tested positive for Methamphetamine Hydrochloride with a substance purity of approximately 97%.

⁶ A review of the electronic recording device captured RAMON provide the CI with Exhibit 1 in exchange for \$2,800.00 OAF. RAMON can be clearly seen and identified via the recorded video (DEA Exhibit N-1).

21. At approximately 5:23 p.m., agents observed RAMON's white Chevrolet Silverado leave the park-and-ride area located near the intersection of Railroad Street and Green Street, in Ridge Spring, SC.

22. At approximately 5:52 p.m., agents observed RAMON's white Chevrolet Silverado arrive at 134 Hayes Street, Lot 1, Gilbert, SC where the white Chevrolet Silverado stayed for approximately two minutes. Agents believe RAMON went back to his residence to retrieve the narcotic's the CI requested the previous day. Agents maintained monitoring the EMD showing RAMON's white Chevrolet Silverado travel from 134 Hayes Street, Lot 1, Gilbert SC 29054 to the pre-determined meeting location. RAMON made no stops at any other locations after retrieving the narcotics from his residence, but instead traveled directly to meet the CI.⁷

23. At approximately 6:08 p.m., agents observed RAMON's white Chevrolet Silverado arrive at the pre-determined meeting location.

24. At approximately 6:10 p.m., agents observed RAMON's white Chevrolet Silverado leave the pre-determined meeting location. Shortly after, SA Dyar, TFO Merckle, and LCSD Agent Sanner met with the CI at the pre-determined meeting location and took custody of Exhibit 2⁸ and the electronic recording device.⁹

25. On March 21, 2023, SA Dyar and TFO Merckle utilized the CI to place a controlled/recorded three-way call to RAMON on telephone number (803) 307-2404. During the call, the CI asked RAMON if he would come and see him/her the following

⁷ Agents are aware through training and experience that DTO members often leave their illicit narcotics in "stash" locations so as not to be discovered by law enforcement while traveling the public roadways. Further, agents know that DTO members often retrieve their illicit narcotics quickly from stash locations to lessen the chance of being discovered by rival DTO members or being discovered by law enforcement.

⁸ On March 1, 2023, SA Dyar and TFO Merckle took custody of Exhibit 2 from CI 2K1687 and transported Exhibit 2 to the DEA for further processing. Lab results for Exhibit 2 revealed Exhibit 2 weighed approximately 445.8 grams and tested positive for Methamphetamine Hydrochloride with a substance purity of approximately 97%.

⁹ A review of the electronic recording device captured RAMON providing the CI with Exhibit 2 in exchange for \$2,800.00 OAF. RAMON can be clearly seen and identified via the recorded video. (DEA Exhibit N-3)

day (March 22, 2023) and the CI would call RAMON when he/she was ready. RAMON agreed and told the CI to call him when he/she was ready.

26. On March 22, 2023, at approximately 5:10 p.m., SA Dyar, TFO Merckle and LCSD Sgt. Tom Hodges met with the CI at a pre-determined meeting location in Lexington County, SC and had the CI place a controlled/recorded three-way call to RAMON on telephone number (803) 307-2404. RAMON did not answer the CI's phone call at approximately 5:15 p.m., or at approximately 5:30 p.m. Shortly after the second call was placed, RAMON contacted the CI and told the CI that he was on the way. At this time, agents set up an electronic recording device to capture the exchange between RAMON and the CI for one pound of crystal methamphetamine (hereinafter referred to as Exhibit (3) in exchange for \$2,800.00. DEA agents provided the CI with \$2,800.00 OAF.

27. At approximately 5:21 p.m., agents observed RAMON's white Chevrolet Silverado leave the park-and-ride area located near the intersection of Railroad Street and Green Street in Ridge Spring, SC.

28. At approximately 5:46 p.m., agents observed, via EMD, RAMON's white Chevrolet Silverado arrive at his residence located at 134 Hayes Street, Lot 1, Gilbert, SC. LCSD Sgt. Michael Burke observed RAMON exit his white Chevrolet Silverado and enter the front entrance of the residence.

29. At approximately 5:53 p.m., LCSD Sgt. Burke observed RAMON exit his residence and enter his white Chevrolet Silverado and leave. Agents believe RAMON went back to his residence to retrieve the narcotic's the CI requested the previous day. Agents maintained monitoring the EMD showing RAMON's white Chevrolet Silverado travel from 134 Hayes Street, Lot 1, Gilbert, SC 29054 to the pre-determined meeting location. RAMON made no stops at any other locations after retrieving the narcotics from his residence, but instead traveled directly to meet the CI.

30. At approximately 6:05 p.m., agents observed RAMON's white Chevrolet Silverado arrive at the pre-determined meeting location to meet with the CI.

31. At approximately 6:08 p.m., agents observed RAMON's white Chevrolet Silverado leave the pre-determined meeting location.

32. At approximately 6:15 p.m., SA Dyar, TFO Merckle and LCSD Sgt. Hodges met with the CI at the pre-determined meeting location and took custody of Exhibit 3¹⁰ and the electronic recording device¹¹.

33. On April 17, 2023, SA Dyar utilized the CI to place a controlled/recorded three-way call to RAMON on telephone number (803) 307-2404. During the call, the CI asked RAMON if he would come and see him/her the following day (April 19, 2023) and the two agreed that RAMON would meet the CI at approximately 5:30 p.m.

34. On April 18, 2023, at approximately 4:37 p.m., the CI contacted SA Dyar and TFO Merckle and stated that he/she was contacted by RAMON who told the CI that he was ready. According to the CI, the CI told RAMON that he/she would be ready to meet in approximately forty-five minutes. The CI told agents that earlier in the day he/she observed two unknown Hispanic individuals in the area of the pre-determined meeting location in Lexington County, SC. The CI believed that the two unknown individuals were watching the area. Out of an abundance of caution agents advised the CI to meet with them at a location nearby to discuss an alternate plan. SA Dyar, TFO Merckle and LCSD Agent Sanner met with the CI at a location near the pre-determined meeting location in Lexington County, SC where agents provided the CI with \$2,800.00 OAF and an electronic recording device to place at the pre-determined meeting location to capture the exchange between RAMON and the CI for one pound of crystal methamphetamine (hereinafter referred to as Exhibit 4) in exchange for \$2,800.00 OAF. Once the CI received the recording device and the OAF, the CI travelled back to the pre-determined meeting location to await RAMON's arrival.

¹⁰ On March 22, 2023, SA Dyar and TFO Merckle took custody of Exhibit 3 from CI 2K1687 and transported Exhibit 3 to the DEA for further processing. Exhibit 3 weighed approximately 448.7 grams and tested positive for Methamphetamine Hydrochloride with a substance purity of 97%.

¹¹ A review of the electronic recording device captured RAMON providing the CI with Exhibit 3 in exchange for \$2,800.00 OAF. RAMON can be clearly seen and identified via the recorded video. (DEA Exhibit N-5).

35. At approximately 4:49 p.m., agents observed RAMON's white Chevrolet Silverado arrive at his residence located at 134 Hayes Street, Lot 1, Gilbert, SC. TFO John Calhoun and TFO Rashad Moore observed RAMON exit his white Chevrolet Silverado wearing a blue and white striped work style shirt, work style pants and boots. Agents observed RAMON change his shoes near the front entrance of his residence. At this time, agents did not observe RAMON carrying anything.

36. At approximately 5:05 p.m., SA Dyar and TFO Merckle utilized the CI to place a controlled/recorded three-way call to RAMON on telephone number (803) 307-2404. During the call the CI told RAMON that he/she was ready and RAMON said that he was on the way.

37. At approximately 5:21 p.m., RCSD Deputy John Maynard observed RAMON exit his residence carrying what appeared to be a plastic bag and place the plastic bag into the passenger side of his Chevrolet Silverado. RAMON then walked to the driver's side of his vehicle, entered the vehicle, and left the area. Agents continued to monitor RAMON's white Chevrolet Silverado which traveled directly from his residence to the pre-determined meeting location in Lexington County, SC where RAMON met with the CI.

38. At approximately 5:35 p.m., agents observed RAMON's white Chevrolet Silverado arrive at the pre-determined meeting location to meet with the CI. RCSD Deputy Maynard observed RAMON exit his white Chevrolet Silverado carrying the same plastic bag he (RAMON) had placed in the passenger side of his vehicle earlier. RCSD Deputy Maynard then observed RAMON enter into the pre-determined meeting location with the plastic bag.

39. At approximately 5:40 p.m., RCSD Deputy Maynard observed RAMON exit the pre-determined meeting location with nothing in his (RAMON) hands. RAMON entered the driver's side of his white Chevrolet Silverado and left the pre-determined meeting location. Agents continued to monitor RAMON's white Chevrolet Silverado which

travelled from the pre-determined meeting location directly to RAMON's residence located at 134 Hayes Street, Lot 1, Gilbert, SC.

40. At approximately 5:50 p.m., SA Dyar, TFO Merckle, and LCSD Agent Sanner met with the CI at a different meeting location and took custody of Exhibit 4¹² and the electronic recording device¹³.

ADDITIONAL PROBABLE CAUSE FOR VIOLATIONS

41. Exhibit 1, Exhibit 2, and Exhibit 3 have all been lab tested by the DEA lab in Maryland and tested positive for methamphetamine hydrochloride with a purity of approximately 97%. Lab results are still pending for Exhibit 4. Exhibit 1, Exhibit 2, Exhibit 3, and Exhibit 4 were all packaged in similar clear food saver style bags that consisted of clear crystal/rock like substances.

CONCLUSION

Based on the foregoing facts and circumstances, which I believe to be true and accurate to the best of my knowledge, I believe that on February 15, 2023, March 1, 2023, March 22, 2023, and April 18, 2023, RAMON possessed and distributed approximately 1858.41 grams of crystal methamphetamine to a Lexington County Sheriff's Department Confidential Informant in violation of 21 U.S.C. §§ 841(b)(1)(A), and is an alien previously removed in violation of 8 U.S.C. §§ 1326. Based upon the foregoing, I respectfully request the issuance of a Criminal Complaint and Arrest Warrant for Pedro Huerta RAMON

This affidavit has been reviewed by Assistant United States Attorney Ariyana Gore.

signature page to follow

¹² On April 18, 2023, SA Dyar and TFO Merckle took custody of Exhibit 4 from CI 2K1687 and transported Exhibit 4 to the DEA for further processing. Exhibit 4 had a field weight of approximately 467.8 grams. Lab results for Exhibit 4 are pending.


¹³ A review of the electronic recording device captured RAMON providing the CI with Exhibit 4 in exchange for \$2,800.00 OAF. RAMON can be clearly seen and identified via the recorded video. In the video RAMON can be seen wearing Croc style shoes and a dark work style shirt with a name patch that says, "PEDRO." (DEA Exhibit N-7)


Special Agent Jared E. Dyar
Drug Enforcement Administration

SWORN to and SUBSCRIBED before me

This 20th day of April, 2023

This affidavit was sworn to by the affiant, who attested to its contents pursuant to Fed. R. Crim. P. 4.1(b)(2)(A) by telephone after a document was transmitted by email pursuant to Fed. R. Crim. P. 4.1.


Honorable Shiva V. Hodges
United States Magistrate Judge

